### IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS LUFKIN DIV ISION

USAA GENERAL INDEMNITY	§	
COMPANY A/S/O	§	
BRITTON L. SMALLWOOD,	§	
	§	
PLAINTIFF,	§	
	§	
VS.	§	CIVIL ACTION NO. 9:18-0CV-188
	§	
MICROSOFT CORP. and EATON	§	JURY REQUESTED
CORPORATION D/B/A	§	
COOPER INDUSTRIES,	§	
	§	
DEFENDANTS.	§	

#### **ADVISORY TO THE COURT**

COME NOW, Plaintiff, USAA GENERAL INDEMNITY COMPANY A/S/O BRITTON L. SMALLWOOD, Defendant EATON CORPORATION D/B/A COOPER INDUSTRIES, and Defendant, MICROSOFT CORPORATION (collectively the Parties", and file this Advisory to the Court.

I.

The Parties have reached settlements to resolve all of the issues in this case. The settlements were reached through informal negotiations prior to mediation. Mediation in this case was scheduled to take place with W. Thomas Proctor in Houston on April 30, 2019. The parties have contacted the mediator and advised him that the case has resolved. The parties have also complied with the mediator's cancellation policy. The parties expect to file final pleadings in this Court in the next 20 days.

#### Respectfully submitted,

#### /s/ Rick A. Eckerson

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Rick A. Eckerson

Texas State Bar No. 00793671

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#### /s/ Leslee N. Haas with permission Alison D. Kennamer

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## /s/ Alison D. Kennamer

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	§	
DEFENDANTS.	§	

#### **CERTIFICATE OF SERVICE**

I, Rick A. Eckerson, do hereby certify that a true and correct copy of the foregoing Advisory to the Court was served, on counsel listed below via e-service on this 30th day of April, 2019:

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/s/ Rick A. Eckerson	
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